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STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD

A G E N D A
GENERAL MEETING

The Fairmont Newport Beach
Sequoia Ballroom
4500 MacArthur Boulevard
Newport Beach, California 92660
(949) 476-2001

June 16, 2006

Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, you may want to attend.

1. **9:00 a.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Approval of the Minutes from the March 8, 2006, General meeting, March 8, 2006, Special meeting, April 4, 2006, Special Roundtable meeting, and April 5, 2006, Special meeting.**
4. **Consideration of presentation of Resolution to Sushil Sharma, former Public Board Member.**
5. **Oral Arguments before the Public Members of the Board.**
 - a. PH AUTOMOTIVE HOLDING CORPORATION dba PACIFIC HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1945-05

TIPTON ENTERPRISES, INC., dba TIPTON HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1947-05

BALL AUTOMOTIVE GROUP dba BALL HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1948-05

- b. THOMPSON'S AUTO & TRUCK CENTER, INC., dba THOMPSON'S CHRYSLER-JEEP v. DAIMLERCHRYSLER MOTORS COMPANY, LLC
Protest No. PR-1965-05

6. **Closed Executive Session deliberations.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board shall convene in a closed Executive Session to deliberate on the decisions to be reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

a. **Consideration of Proposed Decision After Remand.**

PH AUTOMOTIVE HOLDING CORPORATION dba PACIFIC HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1945-05

TIPTON ENTERPRISES, INC., dba TIPTON HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1947-05

BALL AUTOMOTIVE GROUP dba BALL HONDA v. AMERICAN HONDA MOTOR CO., INC.
Protest No. PR-1948-05

Consideration of the Administrative Law Judge's Proposed Decision After Remand, by the Public members of the Board.

b. **Consideration of Proposed Decision.**

THOMPSON'S AUTO & TRUCK CENTER, INC., dba THOMPSON'S CHRYSLER-JEEP v. DAIMLERCHRYSLER MOTORS COMPANY, LLC
Protest No. PR-1965-05

Consideration of the Administrative Law Judge's Proposed Decision, by the Public members of the Board.

7. **Open Session.**

8. **Annual update concerning the Board's compliance with the 1996 Performance Audit conducted by Business, Transportation & Housing Agency, and the resultant Corrective Action Plan - Executive Committee.**

9. **Consideration of nominee for the Solon C. Soteras Employee Recognition Award recipient as recommended by the Board Development Committee.**

10. **Status report concerning the Board's financial condition for the 3rd quarter of fiscal year 2005-2006 - Fiscal Committee.**
11. **Consideration of out-of-state travel plans for fiscal year 2006-2007 - Fiscal Committee.**
12. **Status report concerning the Board's collection of the Arbitration Certification Programs' annual fee - Fiscal Committee.**
13. **Status report on participant and audience responses to the questionnaire concerning the Board's 5th Annual Industry Roundtable - Government and Industry Affairs Committee.**
14. **Consideration of revised Guidelines for Access to Public Records - Policy and Procedure Committee.**
15. **Consideration of the Fair Political Practices Commission informal letter that permits the Board to use litigants' office space for settlement conferences - Policy and Procedure Committee.**
16. **Report on nonsubstantive changes to the text of Sections 550.20 (Service by Certified Mail in Lieu of Registered Mail), 551.11 (Settlement Conference: Separation of Powers), and 551.12 (Notice of Assignment of Administrative Law Judges; Peremptory Challenges) of Title 13 of the California Code of Regulations - Policy and Procedure Committee.**
17. **Consideration of draft waiver of Board policy that Dealer Board members voluntary recuse themselves from Article 5 recreational vehicle protests (Veh. Code §§ 3070, 3072, 3074, 3075, and 3076) - Policy and Procedure Committee.**
18. **Discussion concerning pending Legislation - Policy and Procedure Committee.**
 - a. Pending Legislation that impacts the Board.
 - b. Pending Legislation of general interest.
 - (1) Assembly Bill 1561 (Assembly Member Umberg)
 - (2) Assembly Bill 1854 (Assembly Member Oropeza)
 - (3) Assembly Bill 2291 (Assembly Member Evans)
 - (4) Assembly Bill 2303 (Committee on Judiciary)
 - (5) Assembly Bill 2322 (Assembly Member Parra)
 - (6) Assembly Bill 2643 (Assembly Member Keene)
 - (7) Assembly Bill 2794 (Assembly Member Levine)
 - (8) Senate Bill 1542 (Senator Migden)
 - (9) Senate Bill 1559 (Senator Lowenthal)
 - (10) Senate Bill 1739 (Senator Alarcon)

19. **Executive Director's Report.**

- a. Administrative Matters.
- b. Status of Protests.
- c. Status of Petitions.
- d. Status of Appeals.
- e. Judicial Review.
- f. Notices Filed Pursuant to Vehicle Code sections 3060/3070 and 3062/3072.
- g. Other.

20. **Appointment of Committee members to the Administration Committee, Board Development Committee, Fiscal Committee, Government and Industry Affairs Committee, and Policy and Procedure Committee, by the Board President.**

21. **Adjournment.**

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To request special accommodations for persons with disabilities at this or any future Board meeting or to request any accommodation for persons with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Kathy Tomono at (916) 445-2080 or k_tomono@pacbell.net.

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